

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

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RYAN DEVEREAUX, LUKAS  
HERMSMEIER, ANSGAR GRAW,  
FRANK HERRMANN,

Plaintiffs,  
vs.

COUNTY OF ST. LOUIS, MISSOURI,  
JOHN BELMAR,  
JOHN DOE OFFICERS 1-20  
Defendants.

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**Civil Action No. 4:15-cv-00553-RWS**

**MEMORANDUM IN SUPPORT OF MOTION TO AMEND COMPLAINT**

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, and the Court's Amended Case Management Order [ECF #52], Plaintiffs move to amend their Complaint consistent with information learned in discovery. As grounds therefore, Plaintiffs state as follows:

1. This Motion to Amend the First Amended Complaint is timely, based on the Amended Case Management Order [ECF #52, at ¶ (a)] in this case. Trial has been set for January 9, 2017.

2. The Second Amended Complaint identifies the John Doe Defendants and expands on and clarifies factual allegations contained within the First Amended Complaint, based upon information learned during discovery proceedings thus far. The Plaintiffs seek leave to amend their Complaint to conform it to the evidence in this case and include the additional Defendants that have been identified through discovery. A proposed Second Amended Complaint is submitted with this Motion.



3. The Defendants will not be prejudiced. As the Plaintiffs originally named John Doe Defendants in their Complaint, Defendants were aware that further development of the facts to identify these John Doe Defendants would be necessary. Further, the Second Amended Complaint is primarily based upon information uncovered in the course of the discovery that has proceeded thus far with Defendants and third party, City of St. Louis. It is Plaintiffs' understanding that the Defendants received copies of all materials produced by the City to the Plaintiffs. Defendants also participated in depositions of employees of the St. Louis Metropolitan Police Department.

4. Fed. R. Civ. P. 15(a)(2) provides that the Court should "freely give leave" to amend "when justice so requires." Granting Plaintiffs' motion would facilitate a full and fair resolution of the merits of plaintiff's claims, and would be consistent with substantial justice and judicial economy.

For the foregoing reasons, it is respectfully requested that the Motion for Leave to Amend be granted. A proposed Order is submitted with this Motion as Exhibit A.

Respectfully submitted,

By: /s/ Corrine A. Irish

Corrine A. Irish  
SQUIRE PATTON BOGGS (US) LLP  
30 Rockefeller Plaza  
New York, New York 10112  
Tel: (212) 872-9800  
Fax: (212) 872-9815  
[corrine.irish@squirepb.com](mailto:corrine.irish@squirepb.com)  
E.D. Mo. Bar No. 4289716NY

Steven Friedman (Ohio Bar #0060001)  
SQUIRE PATTON BOGGS (US) LLP



4900 Key Tower  
127 Public Square  
Cleveland, Ohio 44114  
Tel; 216-479-8500  
Fax: 216-479-8780  
[steven.friedman@squirepb.com](mailto:steven.friedman@squirepb.com)

Richard H. Sindel  
SINDEL, SINDEL & NOBLE, P.C.  
8000 Maryland Ave., Ste. 350  
Clayton, MO 63105  
(314) 721-6040  
(314) 721-8545 Fax  
(314) 799-7045 Cell  
[rsindel@sindellaw.com](mailto:rsindel@sindellaw.com)  
*Attorneys for Plaintiffs*